

PUBLIC HEALTH DEPARTMENT[641]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 135.11, the Department of Public Health hereby gives Notice of Intended Action to amend Chapter 191, “Advisory Bodies of the Department,” Iowa Administrative Code.

This chapter provides a general description of how advisory bodies established by the Department will function. The proposed amendments provide clarification to existing language.

Any interested person may make written comments or suggestions on the proposed amendments on or before April 13, 2010. Such written comments should be directed to Barb Nervig, Department of Public Health, Lucas State Office Building, 321 E. 12th Street, Des Moines, Iowa 50319. E-mail may be sent to bnervig@idph.state.ia.us.

These amendments are intended to implement Iowa Code section 135.11.

The following amendments are proposed.

ITEM 1. Amend subrules 191.3(1) and 191.3(2) as follows:

191.3(1) Vacancies shall be filled in the same manner in which the original appointments were made for the balance of the unexpired term. ~~Appointments shall complete the original member’s term.~~

191.3(2) Absences. Three consecutive unexcused absences shall be grounds for the director to consider dismissal of the advisory body member and to appoint another. The chairperson of the advisory body is charged with providing notification of absences to the department.

ITEM 2. Amend rule 641—191.4(135) as follows:

641—191.4(135) Officers.

191.4(1) Officers of the advisory body shall be a chairperson and a vice chairperson and shall be elected at the first meeting of each fiscal year unless designated at the time of appointment.

a. Vacancies in the office of chairperson shall be filled by elevation of the vice chairperson.

b. Vacancies in the office of vice chairperson shall be filled by election at the next meeting after the vacancy occurs.

191.4(2) Duties of officers.

a. The chairperson shall:

(1) ~~preside~~ Preside at all meetings of the advisory body,

(2) ~~appoint~~ Appoint such subcommittees as deemed necessary, and

(3) ~~designate~~ Designate the chairperson of each subcommittee.

b. The vice chairperson shall:

(1) Perform the duties of the chairperson if ~~If the chairperson is absent or unable to act, the vice chairperson shall perform the duties of the chairperson.~~ When so acting, the vice chairperson shall have all the powers of and be subject to all restrictions upon the chairperson.

(2) ~~The vice chairperson shall also perform~~ Perform such other duties as may be assigned by the chairperson.

ITEM 3. Amend rule 641—191.5(135) as follows:

641—191.5(135) Meetings.

191.5(1) The advisory body shall establish a meeting schedule on an annual basis to conduct its business.

a. Meetings may be scheduled as business requires, but notice to members must be at least five working days prior to the meeting date.

b. A four-week notice is encouraged to accommodate the schedules of professional members.

191.5(2) Robert's Rules of Order shall govern all meetings.

191.5(3) Action on any issue before the advisory body can only be taken by a majority vote of the entire membership.

191.5(4) The advisory body shall maintain information sufficient to indicate the vote of each member present.